

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

**THIS DOCUMENT RELATES TO:**

*The County of Summit, Ohio, et al. v.  
Purdue Pharma L.P., et al.*  
Case No. 18-op-45090

*The County of Cuyahoga, Ohio, et al. v.  
Purdue Pharma L.P., et al.*  
Case No. 17-op-45004

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**NOTICE OF SERVICE OF NON-RICO SMALL DISTRIBUTORS'  
MOTION FOR PARTIAL SUMMARY JUDGMENT  
ON PREEMPTION GROUNDS BASED ON PLAINTIFFS' "FAILURE TO REPORT"  
AND "FRAUD ON THE DEA" CLAIMS AND SUPPORTING MATERIALS**

Pursuant to *Directions Regarding Filing of Briefs Under Seal*, ECF No. 1719, Defendants H. D. Smith, LLC f/k/a H. D. Smith Wholesale Drug Co., H. D. Smith Holdings, LLC, H. D. Smith Holding Company; Henry Schein, Inc.; Henry Schein Medical Systems, Inc.; Prescription Supply Inc.; and Anda, Inc. (the "Small Distributors") provide notice that on June 27, 2019, they served copies of the following documents on all Parties, the Court, and the Special Masters:

- The Small Distributors' Motion for Partial Summary Judgment on Preemption Grounds Based on Plaintiffs' "Failure to Report" and "Fraud on the DEA" Claims;
- Memorandum in Support of Small Distributors' Motion for Partial Summary Judgment on Preemption Grounds Based on Plaintiffs' "Failure to Report" and "Fraud on the DEA" Claims; and
- Declaration of William E. Padgett In Support of Non-RICO Small Distributors' Motion for Partial Summary Judgment on Preemption Grounds Based on Plaintiffs' "Failure to Report" and "Fraud on the DEA" Claims, along with the corresponding Exhibit A; and

The Summary Sheet for the Small Distributors' Motion for Partial Summary Judgment on Preemption Grounds Based on Plaintiffs' "Failure to Report" and "Fraud on the DEA" Claims is attached hereto as Exhibit A.

Dated: June 28, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, William E. Padgett, certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ William E. Padgett

William E. Padgett